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· ASCS BACKGROUND INFORMATION ---- BI No. 13* -- April 1971 .
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EMERGENCY AND DISASTER ASSISTANCE AVAILABLE THROUGH ASCS

Emergency area assistance is provided by the Agricultural Stabilization and Conservation Service through: (1) sale of Commodity Credit Corporation (CCC) owned feed grains; (2) grazing and haying privileges on set-aside, diverted or retired croplands; (3) emergency conservation measures; (4) emergency wildlife feeding assistance, and (5) the Indian acute distress donation program.

In major disaster situations declared by the President, in addition to assistance for emergency areas, feed may be donated, sold at reduced prices, or otherwise provided, as directed by the Office of Emergency Preparedness (OEP).

Programs are administered through State and county ASC offices. Program explanations as they may affect individual counties may be obtained at the county ASC office.

EMERGENCY PROGRAM ASSISTANCE

Emergencies calling for agency action may be caused by such calamities as flood, drought, fire, hurricane, earthquake, storm, disease, insect infestation, or other catastrophe.

Under current operating procedures, before affected areas are designated as emergency action areas (and usually for major disaster programs) for sale of CCC-owned feed grains, grazing and haying on Cropland Adjustment Program acreage, and emergency conservation measures, the need for emergency action is recommended first by County Disaster Committees. State Disaster Committees then review the recommendations and determine whether assistance should be made available.

SALE OF CCC-OWNED FEED GRAIN provides assistance to livestock owners in areas certified by the Governor of the State and in which emergency areas have

Agricultural Stabilization and Conservation Service
U.S. Department of Agriculture

* Formerly "CSS Wheat Programs"

been designated by the Secretary.

CCC-owned feed grain may be sold to eligible farmers and ranchers to preserve and maintain foundation herds of cattle (including producing dairy cattle), sheep and goats, at not less than 75 percent of the feed grain current basic county support rate, including the value of any applicable price support payment in kind.

Authority for this action is provided under Section 407 of the Agricultural Act of 1949, as amended.

For livestock other than foundation herds, eligible farmers and ranchers may obtain CCC-owned feed grain at not less than 100 percent of the current basic support rate, including the value of any applicable price support payment in kind.

The authority for action under this program is P.L. 86-299, the Act of September 21, 1959, as amended.

The sale of feed for both the foundation herds and for other livestock in a designated emergency area can be made only to a person who does not have, and is unable to obtain through normal channels of trade without undue financial hardship, sufficient feed for livestock owned by him.

GRAZING AND HAYING on feed grain, wheat, and cotton acreage set-aside or diverted from production may be permitted to alleviate hardship caused by severe floods, drought, and other disasters. Permission to graze or hay on set-aside or diverted acreage is given by State or county ASC committees. Permission is granted for either grazing or haying on Cropland Adjustment Program acreage only in areas certified by the Governor of the State and with concurrence of the Secretary, who designates the disaster areas.

In most cases, program payments the farmer would otherwise receive are reduced by the estimated fair value of the grazing or harvesting of hay which occurs.

EMERGENCY CONSERVATION MEASURES are authorized by Public Law 85-58. This law authorizes the Secretary of Agriculture to take emergency measures in any State or area in which he finds that emergency conservation measures are needed to control severe wind erosion on farmlands, or to rehabilitate farmlands damaged by wind erosion, floods, hurricanes or other natural disasters.

The law also provides for the allocation of emergency funds, which are used to share with farmers and ranchers the cost of the emergency conservation measures needed to meet the new conservation problems caused by the disaster in a given area. The law requires, however, that the natural disaster must be such as to create new conservation problems, which, if not treated, would: (1) impair or endanger the land; (2) materially affect the productive capacity of the land; (3) represent unusual damage which, except for wind erosion, is not the type likely to recur frequently in the same area; and (4) would be so

costly to repair that Federal assistance is or will be required to return the land to productive agricultural use.

The emergency measures are in addition to the soil, water, woodland, and wildlife conserving practices carried out under the regular Rural Environmental Assistance Program (REAP).

Emergency conservation practices used are recommended by the State development group and must have the approval of the Director, Conservation and Land Use Division, Agricultural Stabilization and Conservation Service. Typical of emergency practices to combat or repair damage by wind erosion or sustained drought are emergency tillage operations, emergency cover to prevent wind erosion, construction of fireguards, and constructing or improving reservoirs, wells, springs, and seeps for livestock and irrigation water.

In flood disaster areas, emergency conservation practices frequently include removal of debris, the leveling of sand or gravel deposits and deep plowing, re-establishment of water courses and the reseeding of grasses of permanent types on land subject to severe erosion, and the replacement of other previously functioning conservation installations destroyed or damaged by floods.

Funds allocated by the Secretary for these emergency cost-sharing measures, as well as regular REAP funds, are administered in each State by ASC State and county committees.

The allocations, made available in designated counties by State ASC committees, may amount to as much as 80 percent of the cost of the emergency conservation measures used.

EMERGENCY WILDLIFE FEEDING ASSISTANCE provides a means of protecting farm crops from heavy concentrations of migratory waterfowl, and of protecting both migratory and resident wildlife in times of disaster. In both cases, grain acquired under price support programs by the Commodity Credit Corporation can be made available for such emergency uses. The laws under which these assistance measures operate are P.L. 84-654 and P.L. 87-152. (Use of CCC-owned grain for emergency feeding of wildlife in major disaster areas is also permissible under P.L. 91-606.)

CCC-owned grain may be donated to the Department of the Interior for feeding migratory waterfowl when threatened with starvation or for preventing of crop damage. This action depends on a finding by the Secretary of the Interior that an emergency exists.

CCC-owned grain may be donated to State agencies for resident wildlife threatened with serious damage or loss from starvation. This action also depends on a finding by the Secretary of the Interior that an emergency exists.

INDIAN ACUTE DISTRESS DONATION PROGRAM. CCC-owned feed grains may be donated to Indian tribes for livestock feeding following a decision by the Secretary of Agriculture based on the chronic acute distress of the needy members of an Indian tribe due to severe drought, flood or other catastrophe. Distribution of feed

to the tribe is arranged by the Bureau of Indian Affairs, Department of the Interior.

MAJOR DISASTERS

In major disaster areas designated by the President, or in areas where the President determines that a major disaster is imminent, OEP may direct that feed, including CCC-owned feed grains, be donated, made available at reduced prices or otherwise, in instances such as:

- (1) for a limited period for livestock which are commingled and unidentified as an immediate result of the disaster, or
- (2) for an extended period for livestock owned by individual farmers who have suffered severe property losses as a result of the disaster and cannot afford to buy feed.

The Secretary also may direct CCC, under current administrative programs, to donate its own feed grains.

A major disaster may be declared by the President in any State or area if the Governor of the State involved certifies that disaster assistance is needed.

The President is authorized, under the Disaster Relief Act of 1970 (Public Law 91-606) to set broad Federal action in motion by his declaration. This law is intended to deal primarily with acute distress situations resulting from natural disasters requiring Federal assistance, in addition to State and local efforts and resources.

Declaration of a major disaster area by the President, or determination that a major disaster is imminent, alerts all Federal agencies, as they are needed, to provide assistance in every way possible to meet acute distress situations caused, or may be caused, by hurricanes, tornadoes, storms, floods, high waters, wind-driven waters, tidal waves, earthquakes, droughts, fires and other catastrophes.

The President makes his determination in consultation with the OEP, which in turn may obtain recommendations from the Secretary of Agriculture when livestock feeds are concerned.

DOCUMENT SECTION
CURRENT SERIAL RECORDS

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